

UNSEALED
* 4-23-10

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION**

APR 20 2010

David J. Bradley, Clerk

UNITED STATES OF AMERICA

v.

AMADO MOLINA, JR.

* **DAMIAN MONTALVO**

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§

Criminal No. M-09-1543-S1

SEALED SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

Count One

From on or about January 1, 2006 to on or about June 5, 2006, in the Southern District of Texas and within the jurisdiction of the Court, defendants

**AMADO MOLINA, JR.
and
DAMIAN MONTALVO**

did knowingly and intentionally conspire and agree together and with other person or persons known and unknown to the Grand Jurors to knowingly and intentionally import into the United States of America from the United Mexican States a controlled substance. The controlled substances involved were more than 5 kilograms of cocaine, a Schedule II controlled substance and more than 1,000 kilograms of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 963, 952(a), 960(b)(1)(B), and 960(b)(1)(G).

Count Two

From on or about January 1, 2006 to on or about June 5, 2006, in the Southern District of Texas and within the jurisdiction of the Court, defendants

**AMADO MOLINA, JR.
and
DAMIAN MONTALVO**

did knowingly and intentionally conspire and agree together and with other person or persons known and unknown to the Grand Jurors to knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substances involved were more than 5 kilograms of cocaine, a Schedule II controlled substance and more than 1,000 kilograms of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1), 841(b)(1)(A)(ii), and 841(b)(1)(A)(vii).

Count Three

On or about June 5, 2006, in the Southern District of Texas, and within the jurisdiction of the court, defendants

**AMADO MOLINA, JR.
and
DAMIAN MONTALVO**

did knowingly and intentionally import into the United States of America from the United Mexican States a controlled substance. The controlled substance involved was more than 5 kilograms, that is, approximately 468 kilograms of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 952(a), 960(b)(1)(B), and Title 18, United States Code, Section 2.

Count Four

On or about June 5, 2006, in the Southern District of Texas, and within the jurisdiction of the court, defendants

**AMADO MOLINA, JR.
and
DAMIAN MONTALVO**

did knowingly and intentionally import into the United States of America from the United Mexican States a controlled substance. The controlled substance involved was more than 1,000 kilograms, that is, approximately 1,973 kilograms of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 952(a), 960(b)(1)(G), and Title 18, United States Code, Section 2.

Count Five

On or about June 5, 2006, in the Southern District of Texas, and within the jurisdiction of the court, defendants

**AMADO MOLINA, JR.
and
DAMIAN MONTALVO**

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was more than 5 kilograms, that is, approximately 468 kilograms of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A)(ii), and Title 18, United States Code, Section 2.

Count Six

On or about June 5, 2006, in the Southern District of Texas, and within the jurisdiction of the court, defendants

**AMADO MOLINA, JR.
and
DAMIAN MONTALVO**

did knowingly and intentionally posses with intent to distribute a controlled substance. The

controlled substance involved was more than 1,000 kilograms, that is, approximately 1,973 kilograms of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A)(vii), and Title 18, United States Code, Section 2.

A TRUE BILL


FOREPERSON

JOSE ANGEL MORENO
UNITED STATES ATTORNEY


ASSISTANT UNITED STATES ATTORNEY